

REMARKS/ARGUMENTS

Claims 1-36 were originally presented.

Claims 14 and 16 are currently amended.

No claims are canceled by the current Response.

Claims 1-26 and 32-36 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by US Patent 6,012,088 to Li et al. (hereinafter, "Li").

Claims 27-31 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over US Patent 6,012,088 to Li in view of US Patent 6,212,585 to Chrabaszc (hereinafter, "Chrabaszc").

Claims 1-36 remain in this application.

1 **Finality Not Proper**

2 The Office has marked the Action as Final on the Office Action Summary.
3 According to MPEP 706.07(a) a *second action on the merits* shall be final, “except
4 where the examiner introduces a new ground of rejection not necessitated by
5 amendment of the application by applicant, whether or not the prior art is already
6 of record.” Moreover MPEP 706.07 states:

7 “[i]n making the final rejection, all outstanding grounds of
8 rejection of record should be carefully reviewed, and any such
9 grounds relied on in the final rejection should be reiterated. They
10 must also be clearly developed to such an extent that applicant may
11 readily judge the advisability of an appeal unless a single previous
12 Office action contains a complete statement supporting the
13 rejection”.

14 During a May 5, 2005 interview with the Examiner, claims 13, 21 and 27
15 were discussed, including the elements of “automatically modify resources of the
16 computing system based, at least in part, on an assessment of the computing
17 system resources” (as found in claims 13 and 21) as well as “make an assessment
18 of current hardware and/or software resources of the computing system” (found in
19 claim 27). Examiner contended during the interview that while these elements are
20 not explicitly disclosed in *Li et al.* they are implicit in the functioning of many
21 computers. Applicant respectfully disagrees.

22 No valid prior art reference has been introduced by the Office in any of its
23 Office Actions disclosing the elements of “automatically modify resources of the
24 computing system based, at least in part, on an assessment of the computing
25 system resources” or “make an assessment of current hardware and/or software
26 resources of the computing system”. Thus, under MPEP 706.07 finality is

1 improper since (1) a new ground of rejection not necessitated by amendment of
2 the application by applicant has been introduced (albeit via telephonic interview),
3 and (2) the grounds of rejection have not been clearly developed to such an extent
4 that Applicant may readily judge the advisability of an appeal.

5 Applicant respectfully requests that the finality be withdrawn.

6
7 **35 U.S.C. §102(e)**

8 **Claims 1-26 and 32-36**

9 Claims 1-26 and 32-36 are rejected under 35 U.S.C. §102(e) as being
10 allegedly anticipated by Li. Applicant respectfully traverses the rejection.

11
12 **Independent claim 1 recites:**

13 A method comprising:

14 receiving an identifier associated with a computing system and/or
15 computing system user; and

16 automatically modifying computing system resources based, at least
17 in part, on an assessment of the computing system resources.

18 Li fails to disclose or show the method of claim 1.

19 Claim 1, includes “automatically modifying computing system resources
20 based, at least in part, on an assessment of the computing system resources”.

21 In rejecting claim 1, the Office relies on Li at col. 9, line 25 through col. 10,
22 line 5; col. 10, line 66 through col. 11, line 16; col. 12, lines 1-26; and col. 14,
23 lines 50-65. However, the elements of claim 1 are neither disclosed in the cited
24 passages nor anywhere else within Li.

25 Rather, Li discloses “[o]nce the customer has specified his needs, the ISP
assembles all of this customer information and inputs it into an ISP database.

1 Some of this customer information comes from the customer itself (e.g. a desired
2 domain name), while some information is generated by the ISP itself (e.g. the IP
3 address block).” (Li, Col. 9, lines 50-55). This information can then be used “to
4 generate a configuration file for future use by the customer.” (Li, Col. 9, lines 55-
5 57).

6 The Internet access device disclosed in Li can then use this configuration
7 record:

8 “to automatically configure itself for communication with
9 the Internet using information contained in the configuration
10 record. The configuration record contains information such as the
11 customer domain name, the customer LAN network IP address,
12 the Internet access device IP address, the DHCP range, time zone
13 and NTP servers for time configuration, IP addresses for
forwarding name servers, PPP account log in and password
information, web mirroring configuration information, and mail
configuration information.” (Li, Col. 14, lines 54-62).

14 In addition, “[o]ther information may be added to the configuration record
15 such as IP multicast router information, secondary DNS server information, etc.”
16 (Li, Col. 14, lines 62-65). This information may include “any other information
17 needed by the Internet access device to automatically configure itself for
18 communication with a wide variety of communication lines in order to connect to
19 the Internet.” (Li, Col. 14, line 66-Col. 15, line 3).

20 In general, the configuration record is accessed by an Internet access device
21 once a customer enters “the encrypted registration ID supplied by the ISP onto the
22 Internet access device” and “the local telephone number of a network access
23 server located on the ISP’s network”. (Li, Col. 11, lines 54-58). Once this is
24 completed, and the registration ID is accepted, “the Internet access device begins
25

1 execution of an automatic configuration process which will configure the Internet
2 access device for communication with the Internet at a customer desired level of
3 service”. (Li, Col. 12, lines 8-17).

4 Nowhere does Li disclose or show “automatically modifying computing
5 system resources based, at least in part, on an assessment of the computing system
6 resources” as recited in claim 1. Li neither discloses making an assessment of
7 computing system resources, nor does Li disclose modifying computing system
8 resources based on such an assessment.

9 In Li, the configuration of the Internet access device does not depend upon
10 an assessment of computing system resources of the Internet access device, and
11 there exists no assessment of computing system resources used as a basis for
12 modifying the computer system resources. Rather, the Internet access device in Li
13 is configured solely using information input to a configuration record by the
14 customer and/or the ISP. The actions needed to precipitate configuration are (1)
15 the entering of the information by the customer and the ISP (to create the
16 configuration record), and (2) the entering to the Internet access device of the
17 registration ID and the local telephone number of a network access server located
18 on the ISP’s network (to enable the Internet access device to be placed in
19 communication with the configuration record).

20 Accordingly, it is clear that Li does not teach all the elements of claim 1. A
21 §102 anticipation rejection requires that a cited reference teach every element of
22 the claim. “A claim is anticipated only if each and every element as set forth in
23 the claim is found”. Anticipation requires that “The identical invention must be
24 shown in as complete detail as is contained in the . . . claim”. (MPEP 2131).
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1 Because Li does not teach all the elements of claim 1, the §102 anticipation
2 rejection of claim 1 based on Li is not supported. Applicant therefore respectfully
3 requests that the §102(e) rejection of claim 1 be removed.

4 **Claims 2-12** depend from claim 1, and thereby incorporate each of
5 the elements of claim 1. Accordingly, claims 2-12 are allowable at least on the
6 basis of this dependency, in addition to the further elements recited therein which
7 are neither shown nor disclosed by the cited reference.

8 For example, **amended claim 2** recites:

9 A method according to claim 1, wherein the computing system is a
10 communications device.

11 In rejecting claim 2, the Office relies on Li, col. 12, lines 1-26 as well as Li
12 col. 10, lines 66 through col. 11, line 16 as disclosing the limitation of wherein the
13 computing system is a communications device. However, the elements of claim 2
14 are neither disclosed in the cited passages nor anywhere else within Li.

15 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
16 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
17 enters this ID along with a telephone number of a network access server onto the
18 Internet access device which is connected to the customer's computer system or
19 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
20 the network access server which validates the ID and begins the automatic
21 execution of a configuration process of the of the Internet device, allowing it to
22 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
23 Accordingly, under Li, the computing system and the Internet access devices are
24 separate entities, and the ID is communicated by the Internet access device.
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1 Thus, in addition to Li's failings discussed above with reference to claim 1,
2 Li also fails to disclose "wherein the computing system is a communications
3 device" as recited in claim 2. Because Li does not teach all the elements of claim
4 2, the §102 anticipation rejection of claim 2 based on Li is not supported.
5 Applicant therefore respectfully requests that the §102(e) rejection of claim 2 be
6 removed.

7 In another example, **amended claim 3** recites:

8 A method according to claim 1, wherein the identifier associated
9 with the computing system and/or computing system user is received from
10 the computing system.

11 In rejecting claim 3, the Office relies on Li, col. 12, lines 1-26 as well as Li
12 col. 10, lines 66 through col. 11, line 16 as disclosing the limitation of wherein the
13 identifier associated with a computing system and/or computing system user is
14 received from the computing system. However, the elements of claim 3 are
15 neither disclosed in the cited passages nor anywhere else within Li.

16 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
17 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
18 enters this ID along with a telephone number of a network access server onto the
19 Internet access device which is connected to the customer's computer system or
20 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
21 the network access server which validates the ID and begins the automatic
22 execution of a configuration process of the of the Internet device, allowing it to
23 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
24 Accordingly, under Li, nothing is received from the computer system. Instead, the
25 ID is communicated by the Internet access device.

1 Thus, in addition to Li's failings discussed above with reference to claim 1,
2 Li also fails to disclose "wherein the identifier associated with the computing
3 system and/or computing system user is received from the computing system" as
4 recited in claim 3. Because Li does not teach all the elements of claim 3, the §102
5 anticipation rejection of claim 3 based on Li is not supported. Applicant therefore
6 respectfully requests that the §102(e) rejection of claim 3 be removed.

7 Another exemplary claim, **claim 5**, recites:

8
9 A method according to claim 4, further comprising:
10 automatically modifying system resources of the communications
11 device and the computing system resources based, at least in part, on an
assessment of the computing system resources.

12 In rejecting claim 5, the Office relies on Li, col. 9, line 25 through column
13 10, line 5, as well as Li col. 14, lines 50-65 as disclosing the limitation of
14 automatically modifying system resources of the communications device and the
15 computing system resources based, at least in part, on an assessment of the
16 computing system resources. However, the elements of claim 5 are neither
17 disclosed in the cited passages nor anywhere else within Li.

18 Rather, Li discloses a customer specifying a desired level of service, such
19 as if the customer wishes to connect a LAN to the ISP, or if the customer wishes to
20 connect to the ISP over dial up, an ISDN line, or a T-1 or T-3 line. (Li, Col. 9,
21 lines 25-37). In addition to this customer- entered information, the ISP may also
22 automatically collect service information such as the IP address block. (Li, Col. 9,
23 lines 52-55). A 32 bit account ID that uniquely identifies the Internet access
24 device for a particular customer is then issued to the customer. (Li, Col. 10, lines
25 33-35). The customer enters this ID along with a telephone number of a network

1 access server onto the Internet access device which is connected to the customer's
2 computer system or LAN. (Li, Col. 11, lines 10-13). The Internet access device
3 then communicates with the network access server using this telephone number,
4 and the network access server validates the ID and begins the automatic execution
5 of a configuration process of the of the Internet device, allowing it to communicate
6 with the Internet at a customer desired level of service. (Li, Col. 11, line 60 –
7 Col. 12, line 18). Accordingly, under Li, no information regarding the resources
8 of the computer system is communicated, nor is any assessment of the computer
9 system conducted. Rather all information that is communicated concerns the
10 Internet access device or the desired level of service of a customer. Moreover,
11 once the Internet access device contacts the network access server and the ID is
12 verified, the Internet access device is reconfigured and not the computer system.

13 Thus, in addition to Li's failings discussed above with reference to claim 1,
14 Li also fails to disclose "automatically modifying system resources of the
15 communications device and the computing system resources based, at least in part,
16 on an assessment of the computing system resources" as recited in claim 5.
17 Because Li does not teach all the elements of claim 5, the §102 anticipation
18 rejection of claim 5 based on Li is not supported. Applicant therefore respectfully
19 requests that the §102(e) rejection of claim 5 be removed.

20 Applicant therefore respectfully requests that the §102(e) rejection of
21 claims 2-12 be removed.

22 **Independent claim 13 recites:**

23
24 A server comprising:

25 a storage device to maintain a profile of resources available to
authorized users; and

1 a configuration agent, coupled to the storage device, to receive an
2 identifier associated with a computing system and/or computing system
3 user and automatically modify resources of the computing system based, at
4 least in part, on an assessment of the computing system resources.

5 Li fails to disclose or show “a configuration agent, coupled to the storage
6 device, to receive an identifier associated with a computing system and/or
7 computing system user and automatically modify resources of the computing
8 system based, at least in part, on an assessment of the computing system
9 resources” as recited in claim 13. As noted above, nowhere does Li disclose or
10 show either making an assessment of computing system resources, or modifying
11 computing system resources based on such an assessment.

12 In Li, the configuration of the Internet access device does not depend upon
13 an assessment of computing system resources of the Internet access device, and
14 there exists no assessment of computing system resources that is used as a basis
15 for modifying the computer system resources. Rather, the Internet access device
16 in Li is configured solely using information input to a configuration record by the
17 customer and/or the ISP. The actions needed to precipitate configuration are (1)
18 the entering of the information by the customer and the ISP (to create the
19 configuration record), and (2) the entering to the Internet access device of the
20 registration ID and the local telephone number of a network access server located
21 on the ISP’s network (to enable the Internet access device to be placed in
22 communication with the configuration record).

23 Accordingly, it is clear that Li does not teach all the elements of claim 13.
24 A §102 anticipation rejection requires that a cited reference teach every element of
25 the claim. “A claim is anticipated only if each and every element as set forth in

1 the claim is found". Anticipation requires that "The identical invention must be
2 shown in as complete detail as is contained in the . . . claim". (MPEP 2131).

3 Because Li does not teach all the elements of claim 13, the §102
4 anticipation rejection of claim 13 based on Li is not supported. Applicant
5 therefore respectfully requests that the §102(e) rejection of claim 13 be removed.

6 Accordingly, for at least the same reasons indicated above regarding claim
7 1, the rejection of claim 13 is also not supported. Applicant therefore respectfully
8 requests that the §102(e) rejection of claim 13 be removed.

9 **Claims 14-20** depend from claim 13, and thereby incorporate each of the
10 elements of claim 13. Accordingly, claims 14-20 are allowable at least on the
11 basis of this dependency, in addition to the further elements recited therein which
12 are neither shown nor suggested by the cited reference.

13 For example, **amended claim 14** recites:

14 A server according to claim 13, wherein an assessment of the computing
15 system resources comprises an assessment of at least one of an operating
16 system, configuration settings, personalization settings, Internet settings or
application settings on the computing system.

17 In rejecting claim 14, the Office relies on Li, col. 9, line 25 through col.10,
18 line 5 as well as Li col. 14, lines 50-65 as disclosing a server comprising a storage
19 device to maintain a profile of resources available to authorized users and a
20 process that meets the recitation of a configuration agent, coupled to the storage
21 device, to receive an identifier associated with a computing system and/or
22 computing system user and automatically modify resources of the computing
23 system based, at least in part, on an assessment of the computing system resources.
24
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1 However, the elements of claim 14 are neither disclosed in the cited passages nor
2 anywhere else within Li.

3 Rather, Li discloses a customer specifying a desired level of service, such
4 as if the customer wishes to connect a LAN to the ISP, or if the customer wishes to
5 connect to the ISP over dial up, an ISDN line, or a T-1 or T-3 line. (Li, Col. 9,
6 lines 25-37). In addition to this customer- entered information, the ISP may also
7 automatically collect service information such as the IP address block. (Li, Col. 9,
8 lines 52-55). A 32 bit account ID that uniquely identifies the Internet access
9 device for a particular customer is then issued to the customer. (Li, Col. 10, lines
10 33-35). The customer enters this ID along with a telephone number of a network
11 access server onto the Internet access device which is connected to the customer's
12 computer system or LAN. (Li, Col. 11, lines 10-13). The Internet access device
13 then communicates with the network access server using this telephone number,
14 and the network access server validates the ID and begins the automatic execution
15 of a configuration process of the of the Internet device, allowing it to communicate
16 with the Internet at a customer desired level of service. (Li, Col. 11, line 60 –
17 Col. 12, line 18). Accordingly, under Li, no information regarding the resources
18 of the computer system is communicated, nor is any assessment of the computer
19 system conducted. Rather all information that is communicated concerns the
20 Internet access device or the desired level of service of a customer. Moreover,
21 once the Internet access device contacts the network access server and the ID is
22 verified, the Internet access device is reconfigured and not the computer system.

23 Thus, in addition to Li's failings discussed above with reference to claim
24 13, Li also fails to disclose "wherein an assessment of the computing system
25 resources comprises an assessment of at least one of an operating system,

1 configuration settings, personalization settings, Internet settings or application
2 settings on the computing system” as recited in claim 14. Because Li does not
3 teach all the elements of claim 14, the §102 anticipation rejection of claim 14
4 based on Li is not supported. Applicant therefore respectfully requests that the
5 §102(e) rejection of claim 14 be removed.

6 In another example, **amended claim 16** recites:

7 A server according to claim 13, wherein the configuration agent
8 receives the identifier from the computing system and/or a communications
9 device remote from the computing system associated with the computing
system user.

10 In rejecting claim 16, the Office relies on Li, col. 9, line 25 through col.10,
11 line 5 as well as Li col. 14, lines 50-65 as disclosing a server comprising a storage
12 device to maintain a profile of resources available to authorized users and a
13 process that meets the recitation of a configuration agent, coupled to the storage
14 device, to receive an identifier associated with a computing system and/or
15 computing system user and automatically modify resources of the computing
16 system based, at least in part, on an assessment of the computing system resources.
17 However, the elements of claim 16 are neither disclosed in the cited passages nor
18 anywhere else within Li.

19 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
20 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
21 enters this ID along with a telephone number of a network access server onto the
22 Internet access device which is connected to the customer’s computer system or
23 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
24 the network access server which validates the ID and begins the automatic
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1 execution of a configuration process of the of the Internet device, allowing it to
2 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
3 Accordingly, under Li, nothing is received from the computer system. Instead, the
4 ID is communicated by the Internet access device. Moreover, Li discloses that the
5 user's computer system is connected to the Internet access device

6 Thus, in addition to Li's failings discussed above with reference to claim
7 13, Li also fails to disclose "wherein the configuration agent receives the identifier
8 from the computing system and/or a communications device remote from the
9 computing system associated with the computing system user" as recited in claim
10 16. Because Li does not teach all the elements of claim 16, the §102 anticipation
11 rejection of claim 16 based on Li is not supported. Applicant therefore
12 respectfully requests that the §102(e) rejection of claim 16 be removed.

13 In yet another example, **amended claim 18** recites:

14 A server according to claim 13, wherein the computing system is a
15 communications device.

16 In rejecting claim 18, the Office relies on Li, col. 12, lines 1-26 as well as
17 Li col. 10, lines 66 through col. 11, line 16 as disclosing the limitation of wherein
18 the computing system is a communications device. However, the elements of
19 claim 18 are neither disclosed in the cited passages nor anywhere else within Li.

20 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
21 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
22 enters this ID along with a telephone number of a network access server onto the
23 Internet access device which is connected to the customer's computer system or
24 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
25

1 the network access server which validates the ID and begins the automatic
2 execution of a configuration process of the of the Internet device, allowing it to
3 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
4 Accordingly, under Li, the computing system and the Internet access devices are
5 separate entities, and the ID is communicated by the Internet access device.

6 Thus, in addition to Li's failings discussed above with reference to claim
7 13, Li also fails to disclose "wherein the computing system is a communications
8 device" as recited in claim 18. Because Li does not teach all the elements of claim
9 18, the §102 anticipation rejection of claim 18 based on Li is not supported.
10 Applicant therefore respectfully requests that the §102(e) rejection of claim 18 be
11 removed.

12 Applicant therefore respectfully requests that the §102(e) rejection of
13 claims 14-20 be removed.

14
15 **Independent claim 21 recites:**

16 A storage medium comprising a plurality of executable instructions
17 including at least a subset of which that, when executed, implement a
configuration agent,

18 to assess system resources of a computing system upon receipt of an
19 identifier associated with the computing system and/or computing system
user,

20 and to automatically modify resources of the computing system
based, at least in part, on an assessment of computing system resources.

21
22 As noted above, Li does not teach "a configuration agent, to assess system
23 resources of a computing system upon receipt of an identifier associated with the
24 computing system and/or computing system user, and to automatically modify
25 resources of the computing system based, at least in part, on an assessment of

1 computing system resources” as recited in claim 21. Nowhere does Li disclose or
2 show either “to assess system resources of a computing system upon receipt of an
3 identifier associated with the computing system” or “to automatically modify
4 resources of the computing system based, at least in part, on an assessment of
5 computing system resources”.

6 Rather, in Li, an Internet access device is configured solely on the basis of a
7 registration ID that the Internet access device provides to a configuration server,
8 and not on the basis of an assessment of its computing system resources.

9 Accordingly, for at least the same reasons indicated above regarding claims
10 1 and 13, the rejection of claim 21 is also not supported. Applicant therefore
11 respectfully requests that the §102(e) rejection of claim 21 be removed.

12 **Claims 22-26** depend from claim 21, and thereby incorporate each of the
13 elements of claim 21. Accordingly, claims 22-26 are allowable at least on the
14 basis of this dependency, in addition to the further elements recited therein which
15 are neither shown nor suggested by the cited reference.

16 For example, **claim 23** recites:

17 A storage medium according to claim 21, wherein the configuration
18 agent interrogates the computing system upon receipt of the identifier to
19 assess computing system resources

20 In rejecting claim 23, the Office relies on Li, col. 11, line 54 through col.12,
21 line 26 as disclosing the limitation of wherein the configuration agent interrogates
22 the computing system upon receipt of the identifier to assess computing system
23 resources. However, the elements of claim 23 are neither disclosed in the cited
24 passages nor anywhere else within Li.
25

1 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
2 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
3 enters this ID along with a telephone number of a network access server onto the
4 Internet access device which is connected to the customer's computer system or
5 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
6 the network access server which validates the ID and begins the automatic
7 execution of a configuration process of the of the Internet device, allowing it to
8 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18). This
9 configuration process is accomplished by placing the Internet access device in
10 contact with a unique configuration record which is downloaded from a
11 configuration server. (Li, Col 12, lines 43-48). Accordingly, under Li, nothing is
12 received from the computer system. Instead, the ID is communicated by the
13 Internet access device. Moreover, Li discloses that the Internet access device is
14 configured and not the computer system. In addition, Li does not disclose an
15 assessment of the customer's computer system. Rather, configuration of the
16 Internet access device is accomplished by accessing a unique configuration record
17 from a configuration server.

18 Thus, in addition to Li's failings discussed above with reference to claim
19 21, Li also fails to disclose "wherein the configuration agent interrogates the
20 computing system upon receipt of the identifier to assess computing system
21 resources" as recited in claim 23. Because Li does not teach all the elements of
22 claim 23, the §102 anticipation rejection of claim 23 based on Li is not supported.
23 Applicant therefore respectfully requests that the §102(e) rejection of claim 23 be
24 removed.

25 In another example, **claim 24** recites:

1 A storage medium according to claim 23, wherein the configuration
2 agent downloads and automatically installs system resources on the
3 computing system based, at least in part, on the assessed computing system
4 resources.

5 In rejecting claim 24, the Office relies on Li, col. 16 as disclosing the
6 limitation of wherein the configuration agent downloads and automatically installs
7 system resources on the computing system based, at least in part, on the assessed
8 computing system resources. However, the elements of claim 24 are neither
9 disclosed in the cited passages nor anywhere else within Li.

10 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
11 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
12 enters this ID along with a telephone number of a network access server onto the
13 Internet access device which is connected to the customer's computer system or
14 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
15 the network access server which validates the ID and begins the automatic
16 execution of a configuration process of the of the Internet device, allowing it to
17 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18). This
18 configuration process is accomplished by placing the Internet access device in
19 contact with a unique configuration record which is downloaded from a
20 configuration server. (Li, Col 12, lines 43-48). Accordingly, under Li, nothing is
21 received from the computer system. Instead, the ID is communicated by the
22 Internet access device. Moreover, Li discloses that the Internet access device is
23 configured and not the computer system. In addition, Li does not disclose an
24 assessment of the customer's computer system. Rather, configuration of the
25

1 Internet access device is accomplished by accessing a unique configuration record
2 from a configuration server.

3 Thus, in addition to Li's failings discussed above with reference to claim
4 21, Li also fails to disclose "wherein the configuration agent downloads and
5 automatically installs system resources on the computing system based, at least in
6 part, on the assessed computing system resources" as recited in claim 24. Because
7 Li does not teach all the elements of claim 24, the §102 anticipation rejection of
8 claim 24 based on Li is not supported. Applicant therefore respectfully requests
9 that the §102(e) rejection of claim 24 be removed.

10 In yet another example, **amended claim 25** recites:

11 A storage medium according to claim 21, wherein the computing
12 system is a communications device.

13 In rejecting claim 25, the Office relies on Li, col. 12, lines 1-26 as well as
14 Li col. 10, lines 66 through col. 11, line 16 as disclosing the limitation of wherein
15 the computing system is a communications device. However, the elements of
16 claim 25 are neither disclosed in the cited passages nor anywhere else within Li.

17 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
18 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
19 enters this ID along with a telephone number of a network access server onto the
20 Internet access device which is connected to the customer's computer system or
21 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
22 the network access server which validates the ID and begins the automatic
23 execution of a configuration process of the of the Internet device, allowing it to
24 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
25

1 Accordingly, under Li, the computing system and the Internet access device are
2 separate entities, and the ID is communicated by the Internet access device.

3 Thus, in addition to Li's failings discussed above with reference to claim
4 21, Li also fails to disclose "wherein the computing system is a communications
5 device" as recited in claim 25. Because Li does not teach all the elements of claim
6 25, the §102 anticipation rejection of claim 25 based on Li is not supported.
7 Applicant therefore respectfully requests that the §102(e) rejection of claim 25 be
8 removed.

9 In another example, **claim 26** recites:

10 A storage medium according to claim 21, wherein the identifier is
11 received from a communications device, and wherein the configuration
12 agent automatically modifies system resources of the computing system
13 and the communications device based, at least in part, on assessment of
14 system resources of the computing system and communications device.

14 In rejecting claim 26, the Office relies on Li, col. 9, line 25 through col.10,
15 line 5 as well as Li col. 14, lines 50-65 as disclosing a server comprising a storage
16 device to maintain a profile of resources available to authorized users and a
17 process that meets the recitation of a configuration agent, coupled to the storage
18 device, to receive an identifier associated with a computing system and/or
19 computing system user and automatically modify resources of the computing
20 system based, at least in part, on an assessment of the computing system resources.
21 However, the elements of claim 26 are neither disclosed in the cited passages nor
22 anywhere else within Li.

23 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
24 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
25 enters this ID along with a telephone number of a network access server onto the

1 Internet access device which is connected to the customer's computer system or
2 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
3 the network access server which validates the ID and begins the automatic
4 execution of a configuration process of the of the Internet device, allowing it to
5 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
6 Accordingly, under Li, nothing is received from the computer system. Instead, the
7 ID is communicated by the Internet access device. Moreover, Li discloses that the
8 Internet access device is configured and not the computer system. In addition, Li
9 does not disclose an assessment of the customer's computer system.

10 Thus, in addition to Li's failings discussed above with reference to claim
11 21, Li also fails to disclose "wherein the identifier is received from a
12 communications device, and wherein the configuration agent automatically
13 modifies system resources of the computing system and the communications
14 device based, at least in part, on assessment of system resources of the computing
15 system and communications device" as recited in claim 26. Because Li does not
16 teach all the elements of claim 26, the §102 anticipation rejection of claim 26
17 based on Li is not supported. Applicant therefore respectfully requests that the
18 §102(e) rejection of claim 26 be removed.

19 Applicant therefore respectfully requests that the §102(e) rejection of
20 claims 22-26 be removed.

21 Independent **claim 32** recites:

22 A method comprising:

23 issuing a configuration request from a computing system, wherein
24 the configuration request includes an identifier associated with the
25 computing system and/or computing system user; and

1 receiving a response to the configuration request at the computing
2 system, the response including one or more computing system resources,
3 wherein the one or more computing system resources are automatically
4 installed and configured on the computing system based, at least in part, on
5 an assessment of current computing system resources of the computing
6 system.

7 As noted above, Li discloses neither “receiving a response to the
8 configuration request at the computing system, the response including one or more
9 computing system resources”, nor does Li disclose “wherein the one or more
10 computing system resources are automatically installed and configured on the
11 computing system based, at least in part, on an assessment of current computing
12 system resources of the computing system” as recited in claim 32. Nowhere does
13 Li disclose or show either “an assessment of current computing system resources
14 of the computing system” or “or more computing system resources are
15 automatically installed and configured on the computing system based, at least in
16 part, on an assessment of current computing system resources of the computing
17 system”.

18 Rather, in Li, an Internet access device is configured solely on the basis of a
19 registration ID that the Internet access device provides to a configuration server,
20 and not on the basis of an assessment of its computing system resources.

21 Accordingly, for at least the same reasons indicated above regarding claims
22 1, 13, and 21, the rejection of claim 32 is also not supported. Applicant therefore
23 respectfully requests that the §102(e) rejection of claim 32 be removed.

24 **Claims 33-36** depend from claim 32, and thereby incorporate each of the
25 elements of claim 32. Accordingly, claims 33-36 are allowable at least on the
basis of this dependency, in addition to the further elements recited therein which
are neither shown nor suggested by the cited reference.

1 For example, **claim 36** recites:

2 A method according to claim 32, wherein the configuration request
3 is issued from a communications device associated with the computing
system user, the method further comprising:

4 receiving a response to the configuration request at the
5 communications device including one or more computing system resources,
6 wherein the one or more computing system resources are automatically
installed and configured on the computing system.

7 In rejecting claim 36, the Office relies on Li, col. 3, lines 15-61 as
8 disclosing a method comprising a configuration request from a computing system,
9 wherein the configuration request includes an identifier associated with the
10 computing system and/or computing system user. Additionally, the Office relies
11 on Li col. 9, line 25 through col. 10, line 5 and Li, col. 14, lines 50-65 as
12 disclosing receiving a response to the configuration request at the computing
13 system, the response including one or more computing system resources, wherein
14 the one or more computing system resources are automatically installed and
15 configured on the computing system, wherein the one or more system resources
16 enable the communications device to communicate over an additional
17 communications medium. However, the elements of claim 36 are neither
18 disclosed in the cited passages nor anywhere else within Li.

19 Rather, Li discloses a 32 bit account ID that uniquely identifies the Internet
20 access device for a particular customer. (Li, Col. 10, lines 33-35). The customer
21 enters this ID along with a telephone number of a network access server onto the
22 Internet access device which is connected to the customer's computer system or
23 LAN. (Li, Col. 11, lines 10-13). The Internet access device communicates with
24 the network access server which validates the ID and begins the automatic
25 execution of a configuration process of the of the Internet device, allowing it to

1 communicate with the Internet. (Li, Col. 11, line 60 – Col. 12, line 18).
2 Accordingly, under Li, the computing system and the Internet access devices are
3 separate entities, and no requests are issued by the computer system. In addition,
4 Li discloses that the Internet access device is configured and not the computer
5 system. Li also does not disclose an assessment of the customer's computer
6 system. Rather, configuration of the Internet access device is accomplished by
7 accessing a unique configuration record from a configuration server.

8 Thus, in addition to Li's failings discussed above with reference to claim
9 32, Li also fails to disclose "receiving a response to the configuration request at
10 the communications device including one or more computing system resources,
11 wherein the one or more computing system resources are automatically installed
12 and configured on the computing system" as recited in claim 36. Because Li does
13 not teach all the elements of claim 36, the §102 anticipation rejection of claim 36
14 based on Li is not supported. Applicant therefore respectfully requests that the
15 §102(e) rejection of claim 36 be removed.

16 Applicant therefore respectfully requests that the §102(e) rejection of
17 claims 33-36 be removed.

18 19 **§103 Rejections**

20 **Claims 27-31** are rejected under 35 U.S.C. §103(a) as being allegedly
21 unpatentable over US Patent 6,012,088 to Li in view of US Patent 6,212,585 to
22 Chrabaszcz. Applicant respectfully traverses the rejection.

23
24 **Independent claim 27** recites:

25 A computing system comprising:

1 a storage device having stored thereon plurality of executable
instructions;

2 a network interface, communicatively coupling the computing
system to a network; and

3 a controller, coupled to the storage device and the network interface,
4 to execute at least a subset of the plurality of executable instructions to
make an assessment of current hardware and/or software resources of the
5 computing system, and to implement a basic input/output system (BIOS) to
6 issue a configuration request to the network via the network interface, the
configuration request based on the assessment and including an identifier
associated with the computing system.

7
8 The combination of Li and Chrabaszcz fails to teach or suggest the
9 computing system of claim 27.

10 For example, claim 27, includes “a controller, coupled to the storage device
11 and the network interface, to execute at least a subset of the plurality of executable
12 instructions to make an assessment of current hardware and/or software resources
13 of the computing system, and to implement a basic input/output system (BIOS) to
14 issue a configuration request to the network via the network interface, the
15 configuration request based on the assessment and including an identifier
16 associated with the computing system”. As discussed above, Li does not disclose,
17 teach or suggest “a controller, coupled to the storage device and the network
18 interface, to execute at least a subset of the plurality of executable instructions to
19 make an assessment of current hardware and/or software resources of the
20 computing system, and to implement a basic input/output system (BIOS) to issue a
21 configuration request to the network via the network interface, the configuration
22 request based on the assessment and including an identifier associated with the
23 computing system”. Rather, in Li the configuration of the Internet access device
24 does not depend upon an assessment of current hardware and/or software
25 resources of the Internet access device, and there exists no implementation of a

1 basic input/output system (BIOS) to issue a configuration request to the network
2 via the network interface. Further, Li fails to disclose or suggest the configuration
3 request being based on the assessment and including an identifier associated with
4 the computing system. Instead, the Internet access device in Li is configured
5 solely using information input to a configuration record by the customer and/or the
6 ISP. The actions needed to precipitate configuration are (1) the entering of the
7 information by the customer and the ISP (to create the configuration record), and
8 (2) the entering to the Internet access device of the registration ID and the local
9 telephone number of a network access server located on the ISP's network (to
10 enable the Internet access device to be placed in communication with the
11 configuration record).

12 Chrabaszcz does not remedy Li's failings. Chrabaszcz is cited by the
13 Office for its purported discussion of automatically configuring a device upon
14 booting, and not for any teaching or suggestion of a controller, coupled to the
15 storage device and the network interface, to execute at least a subset of the
16 plurality of executable instructions to make an assessment of current hardware
17 and/or software resources of the computing system, and to implement a basic
18 input/output system (BIOS) to issue a configuration request to the network via the
19 network interface, the configuration request based on the assessment and including
20 an identifier associated with the computing system, as recited in claim 27.

21 Furthermore, Applicant cannot find any such teaching or suggestion in
22 Chrabaszcz regarding a controller, coupled to the storage device and the network
23 interface, to execute at least a subset of the plurality of executable instructions to
24 make an assessment of current hardware and/or software resources of the
25 computing system, and to implement a basic input/output system (BIOS) to issue a

1 configuration request to the network via the network interface, the configuration
2 request based on the assessment and including an identifier associated with the
3 computing system. Accordingly, Chrabaszcz does not remedy the deficiencies of
4 Li noted above, and claim 27 is allowable over the combination of these two
5 references.

6 A prima facie case of obviousness requires that the prior art reference (or
7 references when combined) must teach or suggest all the claim limitations (MPEP
8 2142, 2143). Therefore, the §103(a) rejection of claim 27 is not supported by the
9 cited references, and Applicant respectfully requests that the rejection be
10 withdrawn.

11 **Claims 28-31** depend from claim 27, and thereby incorporate each of the
12 elements of claim 27. Accordingly, claims 28-31 are allowable at least on the
13 basis of this dependency, in addition to the further elements recited therein which
14 are neither shown nor suggested by the cited references, alone or in combination.
15 Accordingly, Applicant respectfully requests that the §103(a) rejection of claims
16 28-31 be removed.

1 **Conclusion**

2 All pending claims are believed to be in condition for allowance. Applicant
3 respectfully requests reconsideration and prompt issuance of the present
4 application. Should any issue remain that prevents immediate issuance of the
5 application, the Examiner is encouraged to contact the undersigned attorney to
6 discuss the unresolved issue.

7
8 Respectfully Submitted,

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11 Dated: July 1, 2005

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